



March 22, 2023

Committee: Transportation, Infrastructure, Energy, and Environment
Testimony on: CB-32-2023, Better Bag Bill
Position: Support with Amendments
Hearing Date: March 23, 2023

The Prince George's Sierra Club supports CB-32-2023, which aims to prevent plastic pollution and to incentivize use of reusable carryout bags in Prince George's County. The bill would reduce environmental harms and waste from both plastic and paper single-use carryout bags, which in turn will reduce litter and greenhouse gas emissions that fuel climate change. It would achieve this by prohibiting retailers from providing single-use plastic carryout bags at the point of sale, and requiring retailers to charge and retain at least 10¢ for paper and other carryout bags, to create an incentive for shoppers to bring their own bag or not take a bag at all. The success of the policy hinges on its ability to change shopper behavior. The charge is retained by the retailer to finance the bags that are purchased; it is not a tax. In passing this bill, Prince George's County would join numerous other Maryland jurisdictions that have passed or are considering similar legislation.¹

The world is facing a plastic pollution crisis and plastic carryout bags are a major culprit. Every year, our oceans take in an estimated 5 million to 13 million tons of plastic from land-based sources.² These bags are among the top five plastic products collected in beach cleanups in the U.S.³ Single-use plastic carryout bags are lightweight and a major component of litter. Lifted by a breeze, they can float long distances until caught in fences, trees, and bushes. They are carried into streams, rivers, and the ocean, where they pollute the marine environment and eventually break down into microplastics. They are ingested by seabirds, fish, and marine animals, with fatal results. Microplastics move up the food chain to be ingested by humans. These plastic bags have about a 15-minute "working life," but persist in the environment beyond our lifetimes.

Shoppers in Prince George's County use an estimated 353 million plastic carryout bags annually.⁴ In 2019, 88% of Prince George's shoppers at major grocery chains that provide complimentary carryout bags were taking them, nearly all of them plastic (Exhibit 1). Only about 6% of shoppers were using reusable bags, and this picture hasn't changed since the Sierra Club launched its observational surveys of grocery shoppers in 2012. In contrast, at grocery chains like Aldi and Lidl that

¹ Jurisdictions in Maryland that have already passed a "hybrid" bring your own bag bill that pairs a ban on plastic carryout bags and a charge or tax for other carryout bags to incentivize shoppers to bring their own bag include Baltimore City and County and the municipalities of College Park, Easton, and Salisbury. Similar legislation is under consideration in Anne Arundel County, Frederick City, Greenbelt, Hyattsville, and Laurel.

² Jambeck, Jenna *et al.* 2015. "Plastic waste inputs from land into the ocean," *Science* 347, no. 6223:768-771.

³ 5 Gyres Institute *et al.* Undated. "Better Alternatives Now: B.A.N. List 2.0." Los Angeles, California.

⁴ Based on estimates of annual average daily use of one bag daily per person, multiplied by the County's population. See Laura Parker. 2018. "Plastic: We made it. We depend on it. We're drowning in it," *National Geographic*, June, p. 40

do not provide single-use plastic carryout bags and that charge for paper and other bags, 90% or more of shoppers bring their own bag or don't take a bag (Exhibit 1). Some big box stores don't provide carryout bags at all, and all shoppers are obligated to bring their own bag.

We cannot recycle our way out of the plastic pollution crisis, especially when it comes to plastic carryout bags. They are not accepted for recycling at the County's materials recycling facility in Capitol Heights, yet the machinery continues to be fouled by plastic bags and film that are deposited in curbside bins, creating wear and tear on the machinery and costly clean up (Exhibit 2). The bags that are captured at the facility are too contaminated to be marketed and are landfilled. According to the EPA, fewer than 5% of plastic carryout bags are recycled. Even if the recycling rate could be improved, it would not prevent littered plastic bags from entering the environment.

The policy model represented by CB-32-2023 is recognized as a "best practice" for reducing plastic pollution and changing shopper behavior. It consists of a ban on plastic carryout bags that are not reusable, paired with a financial incentive for shoppers to switch to reusable carryout bags. CB-32-2023 sets the financial incentive as a charge of at least 10¢ for alternative bags (paper and other carryout bags) to be charged and retained by retailers.

The Sierra Club's shopper surveys document the superiority of this policy, compared with a ban on plastic carryout bags or, separately, a tax or charge for carryout bags (Exhibit 3). They also support the case for a 10¢ charge for alternative carryout bags to maximize behavior change.

- The City of Laurel's ban on plastic carryout bags without a charge for paper and other bags has resulted in a huge increase in the uptake of paper bags (Exhibit 3a). Six months after Laurel's plastic carryout bag ban went into effect, the share of shoppers using reusable bags or no bag rose from 12% to 31%, while the share using paper bags rose from less than 1% to 68%. Paper bags are far more expensive than plastic bags; providing them at no charge raises the store's overhead, which ultimately is passed on to all shoppers in higher prices.⁵
- In contrast, Baltimore's ban on plastic carryout bags coupled with a 5-cent surcharge on paper and other carryout bags was far more effective in incentivizing reusable bag use (Exhibit 3b). The share of shoppers using a reusable bag or no bag rose from 19%, before the policy went into effect, to 65%.⁶ This still left about a third of shoppers opting to pay the 5¢ surcharge for a paper bag, however, suggesting that a higher incentive would be necessary to achieve even higher adoption of reusable bags. It is still short of shopper behavior at Aldi and Lidl, where the cost of paper bags is now about 12¢, and 90% or more of shoppers opt not to purchase one.⁷
- Howard County's 5¢ tax on plastic bags doubled the share of shoppers using reusable bags or no bag, from a quarter to half, but about a third of shoppers opted to pay the 5¢ tax and purchase plastic carryout bags (Exhibit 3c). Plastic carryout bags are not banned and plenty are still in circulation, even if more shoppers are bringing their own bag.

⁵ The manufacture of paper bags results in millions of trees being cut down each year and relies on toxic polluting chemicals; after use, paper bags typically enter our growing waste stream.

⁶ In three grocery chains - Giant, Harris Teeter, Safeway.

⁷ In San Jose, CA, a ban on thin plastic bags and a mandatory 10-cent minimum charge on paper bags (kept by the retailer) increased shoppers' reusable bag use from 3% to 46%, and the share that took no bag from 13% to 43%. Plastic bags in waterways declined by 76%. See <https://www.sanjoseca.gov/your-government/environment/illegal-dumping-litter/bring-your-own-bag-ordinance>.

The objective of the charge for other carryout bags is to produce behavior change in favor of reuse, not to make shoppers purchase bags. Shoppers may avoid the charge simply by bringing their own bag or not taking one. Paper and plastic carryout bags are not “free” to shoppers. Their cost is part of a store’s overhead, a hidden cost embedded in the price of merchandise. CB-32-2023 will reduce overhead due to complimentary carryout bags.

CB-32-2023 also takes into account equity concerns. It invites universal participation for households of all economic status by ensuring that all are fully informed of the carryout policy and have access to reusable bags. This will be achieved by a public education campaign, by having retailers post the policy at checkout – hopefully in multiple languages – and through distribution of reusable bags to those in need by the County and other organizations. Retailers may promote reusable bags and offer them at no charge up to the launch date of the policy; thereafter, the bill provides for a one-week annual promotion of reusable bags during which retailers can offer them for free. Access to reusable bags from other sources is available year round. The charge to incentivize reusable bag use also promotes fairness across shoppers. Shoppers who want a paper carryout bag will pay for it, just as they do for other merchandise, while those who don’t take one won’t pay. The overhead due to carryout bags will be sharply reduced, and shoppers who bring their own bag won’t be subsidizing those who don’t.

In Exhibit 4, we offer a few clarifying amendments and an amendment to ensure that the County’s municipalities will be able to pass and enforce ordinances that are equally or more stringent than the County bill.

The Sierra Club respectfully requests that you again put Prince George’s County in the lead among Maryland jurisdictions in reducing plastic pollution, litter, waste, and greenhouse gas emissions by passing CB-32-2023.

Martha Ainsworth, Chair
Prince George’s County Sierra Club Zero Waste Team
Maryland Sierra Club Chapter Zero Waste Team

Janet Gingold, Chair
Prince George’s County Sierra Club Group

Attachments: Exhibits 1-4

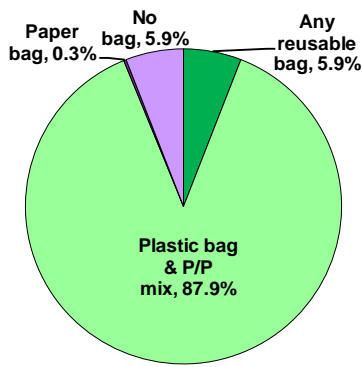
Exhibit 1

**Shoppers' Carryout Bag Use at Major Grocery Chains
in Prince George's County, 2019**

(Percent of shoppers exiting grocery stores according to the type of carryout bag taken)

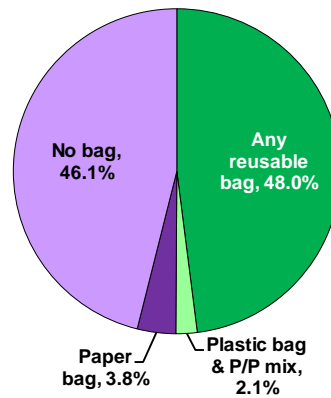
Prince George's County, 2019

**Stores that offer "free"
carryout bags**



**Food Lion, Giant, Harris Teeter, Safeway,
Shoppers, Wegmans, Weis Market**
(48 stores, 7,694 shoppers)

**Stores that don't offer plastic carryout
bags, charge for paper and others**



Aldi & Lidl
(13 stores, 1,550 shoppers)

Source: Maryland Sierra Club Zero Waste Team, 2019 Shopper Survey.

Exhibit 2

The cost of plastic bag contamination at Prince George's County's single-stream recycling facility

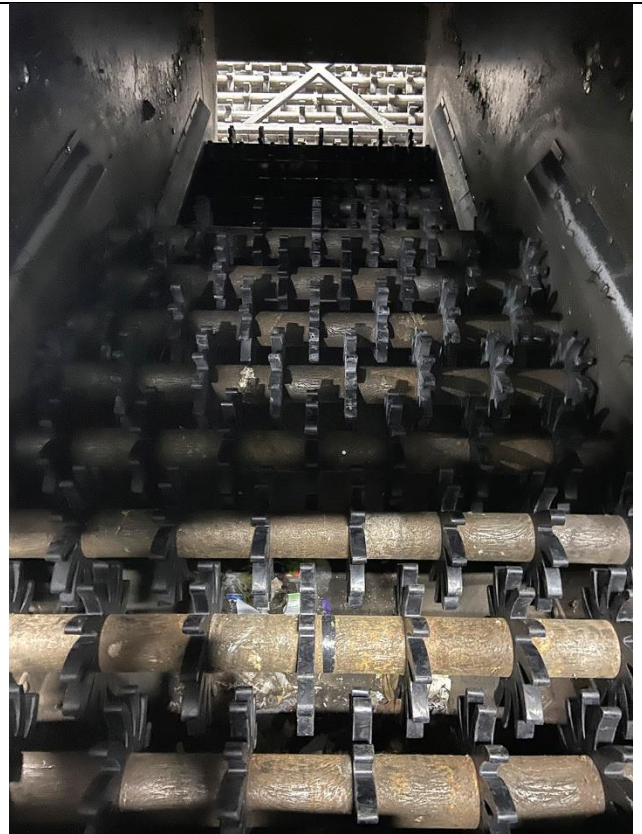
The Prince George's County Materials Recycling Facility (MRF) in Capitol Heights no longer attempts to recycle plastic bags because of their costly impact on the sorting machinery and the lack of a market for the highly contaminated product collected in the single-stream process. However, residents continue to put plastic bags and other plastic film in their curbside bins, which continue to foul the equipment. The plastic bags that are captured at the MRF are landfilled.

How much is this costing Prince George's County? Every day after the last shift, three workers spend 8 hours each cleaning plastic film from the sorting screens. The photos below show the impact on the sorting equipment as of the end of a shift (left) and the equipment after it is cleaned (right). At \$20/hour, five days a week, 52 weeks per year, the cost to the facility of cleaning plastic bags from the equipment is at least \$124,800 annually because of plastic bag and film contamination.⁸

Fouled screens at the end of the day



The screens after cleaning



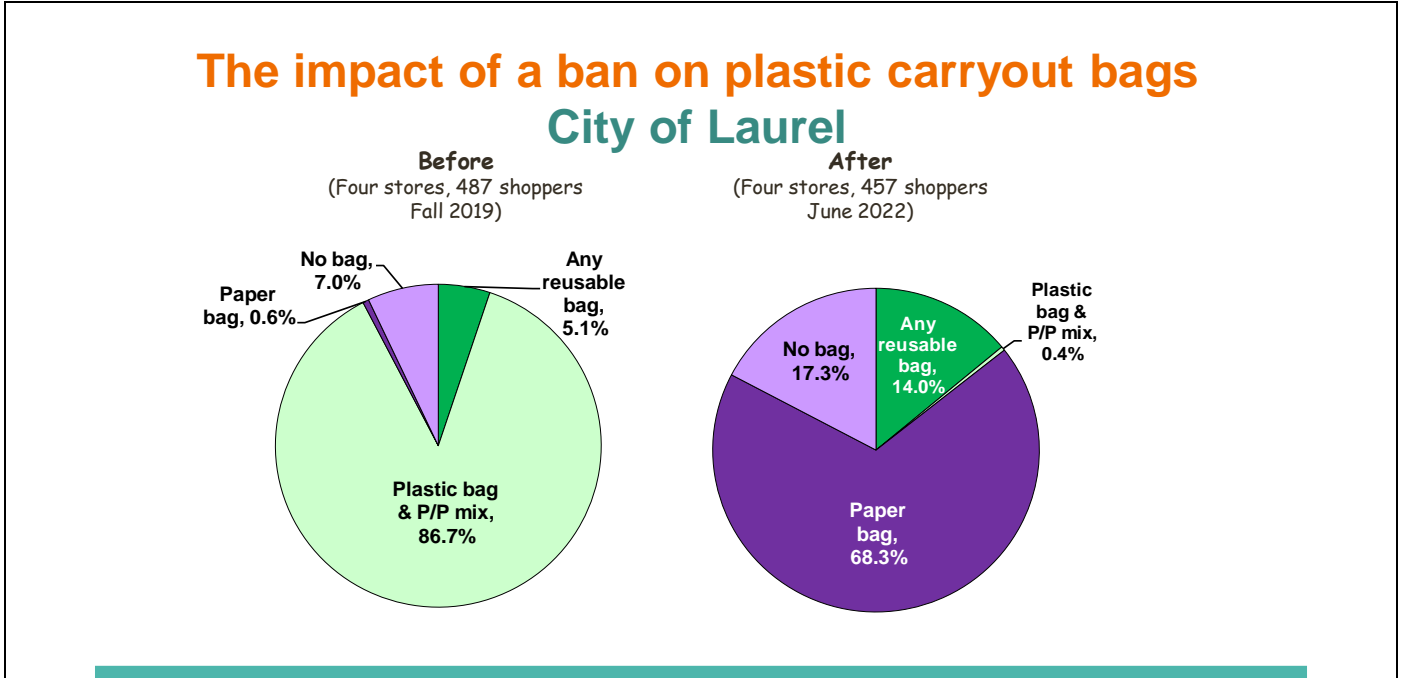
Source: Sean Ryan, Maryland Environmental Service

⁸ Data are from 2019.

Exhibit 3

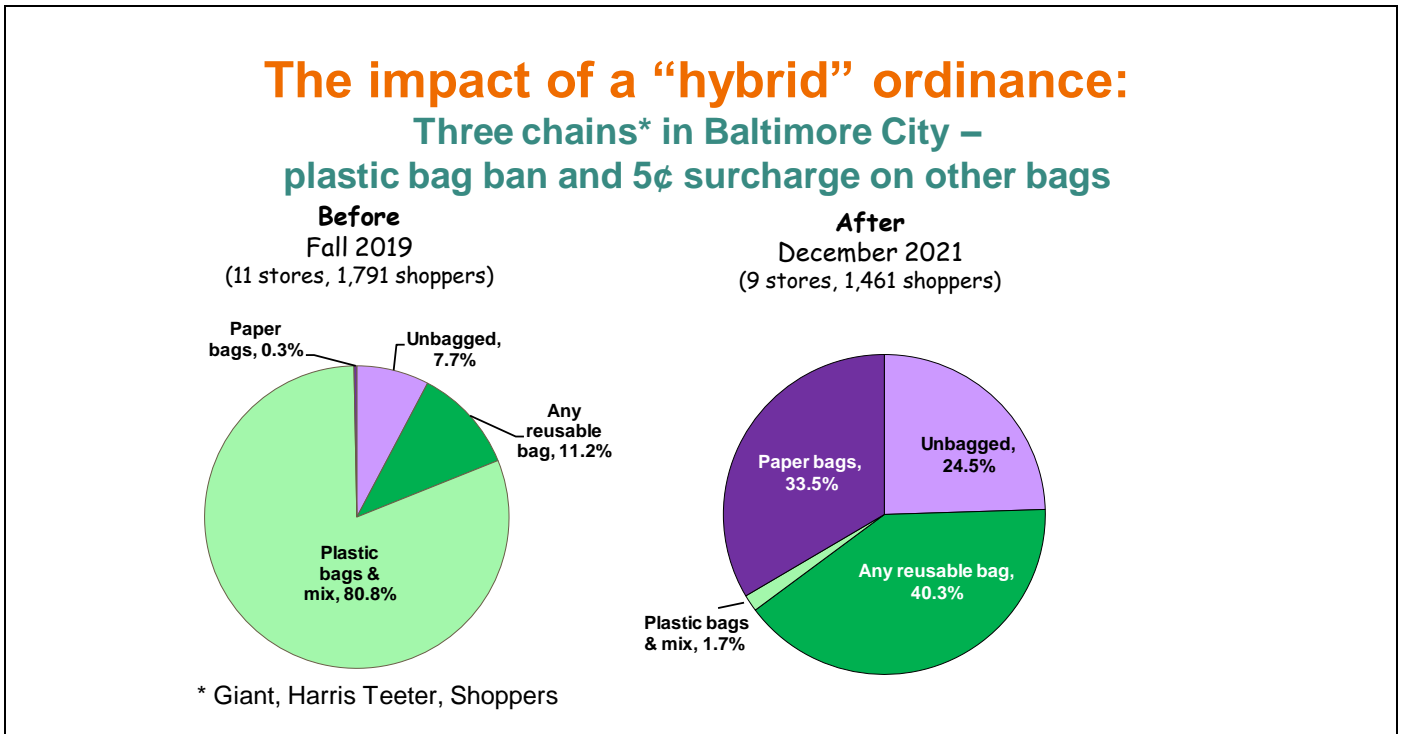
The impact of carryout bag policy on shopper behavior in Maryland
 (Percent of shoppers exiting grocery stores according to the type of carryout bag taken)

Exhibit 3a



Source: Maryland Sierra Club Shopper Surveys, 2019 and 2022.

Exhibit 3b



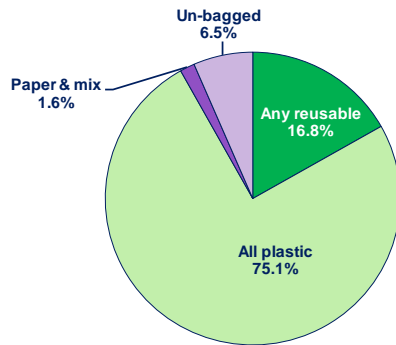
Source: Maryland Sierra Club Shopper Surveys, 2019 and 2021

Exhibit 3c

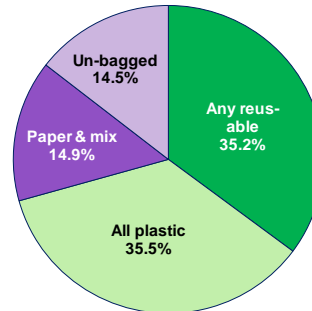
The impact of a 5-cent plastic bag tax Howard County

Before the plastic bag tax

After the plastic bag tax



Four Chains, Fall 2019
(14 stores, 2,238 shoppers)



Four Chains, Dec 2020
(14 stores, 1,905 shoppers)

Source: Maryland Sierra Club Shopper Surveys, 2019-2020

Exhibit 4. Proposed amendments

1. Page 2, lines 8-14:

- (a) The world's oceans are taking in 5 million to 13 million tons of plastic from land-based sources annually and plastic bags are among the top five plastic products collected in beach cleanups in the United States.
- (b) At major grocery chains in Prince George's County, as of 2019 2022, ~~a small percentage~~ 88 percent of shoppers ~~do not~~ use single-use carryout bags provided at no charge by retailers. Nearly all of these bags are plastic, ~~resulting in~~ County residents are using an estimated 353 millions ~~of~~ plastic carryout bags annually.

2. Page 3, line 29: ...establishment, ~~or~~

3. Page 4, line 20:

(6) A retail establishment ~~may~~ shall post a sign at each point of sale...

4. Page 4, lines 24-29: *This section should include communication to the general public, including residents, homeowners, civic associations, chambers of commerce, and households, and distribution of complimentary reusable bags to those in need. The legislation should specify that the County shall use its communications resources to notify community members about the legislation and remind them to bring their own bag. Supplementary voluntary actions by environmental groups do not need to be included in the legislation.*

5. Page 5, insert on line 23:

Sec. 19-169. Municipal carryout bag legislation.

Nothing in this Division shall be construed to prohibit a municipality in the County from enacting or enforcing an ordinance concerning the provision of carryout bags by retailers that is equally or more stringent as the provisions of this Division.

Sec. 19-170. Regulations.